

AGENDA MEMO

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-18637 - APPLICANT/OWNER: DAN MARTINEZ

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions of approval for Site Development Plan Review (SDR-18638).
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. Written approval by the Clark County Department of Aviation with no change in flight patterns shall be submitted to the City of Las Vegas prior to the issuance of building permits.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This project is a request for a Special Use Permit (SUP-18637) to allow a 40-story mixed-use development consisting of 395 residential units, 15,892 square feet of commercial retail space and 9,050 square feet of office space on 1.39 acres at 709-731 Fremont Street. A companion Site Development Plan Review (SDR-18638) will be heard with this item. The applicant states that the goal is to build a project that will be affordable to those downtown employees who would also like to live downtown.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/15/04	City Council approved SUP-5362 for a restaurant with bar for 731 Fremont Street
06/01/05	City Council approved SUP-6267 for a tavern for 719 Fremont Street.
	The Planning Commission recommended approval of companion item SDR-18638 concurrently with this application.
01/25/07	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #62/yk).
<i>Pre-Application Meeting</i>	
09/13/06	The applicant was advised of the two applications and three waivers that would be necessary to move the project forward.
<i>Neighborhood Meeting</i>	
09/13/06	The applicant was advised no neighborhood meeting would be required.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.39 acres
Net Acres	1.28 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant lot	C (Gen. Commercial)	C-2 (Gen. Commercial)
North	Vacant building	C (Gen. Commercial)	C-2 (Gen. Commercial)
South	Motel	Mixed-Use	C-2 (Gen. Commercial)
East	Vacant lot	C (Gen. Commercial)	C-2 (Gen. Commercial)
West	Motel	C (Gen. Commercial)	C-2 (Gen. Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Downtown Overlay District	X		Y
G-O (Gaming Enterprise Overlay) District		X	N/A
A-O (Airport Overlay) District	X		Y
Downtown Casino Overlay District		X	N/A
Downtown Entertainment Overlay District	X		Y
Live/Work Overlay District	X		Y
Trails	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Title 19.06.060 exempts properties within the Downtown Centennial Plan area from the automatic application of building height limitations, setbacks, lot coverage, residential adjacency, standard landscaping requirements, and standard parking requirements. The Downtown Centennial Plan addresses certain site development standards, which are detailed below:

<i>Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	60,394 sq.ft.	N/A
Min. Lot Width	N/A	155 ft.	N/A
Min. Setbacks			
• Front	N/A	0 Feet	N/A
• Side	N/A	0 Feet	N/A
• Corner	N/A	0 Feet	N/A
• Rear	N/A	0 Feet	N/A
Max. Lot Coverage	Up to 100 %	89.3%	N/A
Max. Building Height	N/A	472'-9"	N/A
Trash Enclosure	Enclosed/Covered	Enclosed/Covered	Y
Loading Zone	1	1	Y
F.A.R.	N/A	14.1%	N/A
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.12, the following Landscape Standards apply to the subject proposal:

Standards	Required		Provided
	Ratio	Trees	
Parking Area	N/A	N/A	0
Streetscape Treatment: 8 th Street	1 Palm Tree/30' o.c. (min. 25' height)	14	10
Streetscape Treatment: Carson Avenue	1 Shade Tree/30' o.c. (min. 25' height)	5	4
Streetscape Treatment: Fremont Street	1 Shade Tree/30' o.c. (min. 25' height)	5	4

As with other development standards, the property is exempt from the automatic application of the parking requirements listed in Title 19.10 due to its being located within the boundaries of the Downtown Centennial Plan area. The following table compares the parking requirements listed in Title 19.10 with the amount of parking to be provided for the development:

Uses	GFA	Recommended			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Retail	15,892 SF	1 per 175 SF	91	4	149	4
Office	9,050 SF	1 per 300 SF	30	2	40	2
Residential	395 units	1 per unit	395	8	395	8
Total			516	14	584	14 of 584

The parking provided is greater than the minimum normally required for a downtown mixed-use project. This allows flexibility in case some of the retail space is used for entertainment venues which call for greater parking.

ANALYSIS

- **Zoning**

The commercial use located at the ground floor is permitted in accordance with the requirements of the C-2 (General Commercial) zoning district. The Special Use Permit for a Mixed-Use structure requires non-residential uses on the ground floor and architectural features that distinguish the separate uses within the building; the proposed development is in conformance with these requirements.

- **Site Plan**

This projects site plan has the residential lobby directly off of the parking garage with additional access off the Fremont Street frontage. The retail space is clustered along Fremont Street on both the ground and 2nd levels with the office space totally on the 2nd level. Ingress/egress to the parking garage is located off of 8th Street with an additional egress off of Carson Avenue. This limits the area for landscape treatments. One loading dock area is located off of the west alley and provides for loading to take place without blocking the flow of traffic on the public streets or within the parking garage. Overall the project uses it's footprint for maximum commercial advantage.

- **Elevation**

Contemporary materials are used on the building exterior, which include composite aluminum panels, painted pre-cast concrete, insulated glass and an aluminum louver system. There is sufficient vertical relief that extends the entire height of the building from the ground level to the penthouse that meets the intent of the Centennial Plan requirements. The addition of the balconies provides additional off-set to the stepback requirement to render it a mute issue. The parking structure is situated behind the tower structure and has metal louver screens on the first two levels. Three separate metal panel canopies are included, one over the parking garage entrance and the other two off of the retail spaces on 8th Street and Fremont Street.

- **Floor Plan**

The symmetry of the floor plan allows for efficient access from the parking structure to the elevator lobbies, and contributes to the effectiveness of the pedestrian circulation within the structure. The amenities for the residential units will be located atop the parking structure on the ninth level. There are several unit floor plans that will encourage a wide spectrum of residents from different backgrounds. This will add to the energy of the Entertainment District.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed development will be compatible with adjacent development, and will assist in improving the energy needed in order for the Entertainment District to be successful.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

This project is ideally located within the Entertainment District and will seamlessly blend in with the surroundings.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

The existing streets offer adequate access to the buildings' parking garage. In addition, the Region Transportation Commission has a bus route along Fremont Street with additional routes just two blocks away on Las Vegas Boulevard to serve this development.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed development is consistent with the General Plan, and is generally consistent with the requirements of Title 19 and the Downtown Centennial Plan. Waivers have been requested for elements of the development that do not strictly conform to the Centennial Plan requirements in conjunction with the Site Development Review (SDR-18638).

5. **The use meets all of the applicable conditions per Title 19.04.**

This Special Use Permit request meets all of the requirements called for in Title 19.04 for a mixed-use development.

PLANNING COMMISSION ACTION

The applicant agreed to all conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

17

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 119 by City Clerk

APPROVALS 0

PROTESTS 0